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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/720,971 | 11/24/2003 | Craig L. Reding | 03-1022 | 5216 |
| 32127 | 7590 | 05/27/2008 | EXAMINER | |
| VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD, SUITE 500 ARLINGTON, VA 22201-2909 | | | SINGH, RAMNANDAN P | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2614 | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 05/27/2008 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@VERIZON.COM

Office Action Summary

| | | |
|--------------------------------------|--------------------------------------|--|
| Application No. 10/720,971 | Applicant(s) REDING ET AL. | |
| Examiner Ramnandan Singh | Art Unit 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 November 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-59 is/are pending in the application.
4a) Of the above claim(s) 11-18, 29-36 and 47-56 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10, 19-28, 37-46 and 57-59 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
- Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 4/11/08; 1/16/08; 10/23/07; 6/14/07; 2/8/06 & <u>7/20/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Restriction to one of the following inventions is required under 35

U.S.C. 121:

- I. Claims 1-10, 19-28, 37-46 and 57-59, drawn to a modification to at least one of the communications lines, classified in class 379, subclass 350, 201.03.
- II. Claims 11-18, 29-36, 47-54 and 56, drawn to instructions regarding handling of a call, classified in class 370, subclass 352, class 370, subclass 220.01.
- III. Claim 55 is subcombinations of Groups I and II.

Applicant's response filed on March 10, 2008 confirmed the election of Group I consisting of claims 1-10, 19-28, 37-46 and 57-59. As a result, claims 11-18, 29-36 and 47-56 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention. Hence, this restriction is made FINAL.

Specification

2. The disclosure is objected to because of the following informalities:

The specification cites a number of related U.S. Patent Applications on pages 3 and 4, but their numbers are left blank [Para 003]. Applicants are required to fill in these blank spaces with the related Applications numbers.

Appropriate correction is required.

Claim Objections

3. Claims 1 and 57 are objected to because of the following informalities:

Claim 1 recites “two more communications lines” in line 1. To make this clear, replace the term “two more” with “two or more”. A similar thing holds for claim 57.

Appropriate correction is required.

Double Patenting

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at

least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claim 19 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 12 of copending Application No. 10/720,944. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 19 of the instant application is a broad version of claim 12 of the copending application. Similarly, claim 1 of the instant application is a broad version of claim 38 of another co-pending application No. 10/858,973.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-10, 19-28, 37-46 and 57-59. rejected under 35 U.S.C. 102(b) as being anticipated by Dunn et al [US 5,917,817].

Regarding claim 19, Dunn et al disclose a system, as shown in Fig. 4, for managing two or more communications lines associated with a user of a communications network, comprising:

a first interface (30) for connecting to a data network (32);

a second interface (40) for connecting to the communications network (42); and

a set of one or more processors (33) capable of receiving from a user, via the first interface, line management information regarding two or more communications lines associated with an account for the user, determining that the received line management information includes one or

more modifications to at least one of the communications lines associated with the user account, and transmitting an instruction, via the second interface, to a component of the communications network to implement the modification to the communications line [Figures 1-8; col. 5, lines 10-50; claims 1-8].

Claims 37 and 58-59 are essentially similar to claim 19 are rejected for the reasons stated above.

Regarding claim 1, Dunn et al disclose a method for managing two more communications lines associated with a user of a communications network, as shown in Figs. 2A, 9-10, the method comprising:

receiving from the user over a data network line management information regarding two or more communications lines associated with an account for the user; determining that the received line management information includes a modification to at least one of the communications lines associated with the account; and transmitting an instruction to a component of the communications network to implement the modification to

the at least one communications line [Figs. 2A, 9-10; col. 4, lines 55-63; col. 6, lines 14-67; claims 1-8].

Claim 57 is essentially similar to claim 1 and is rejected for the reasons stated above.

Regarding claim 20, Dunn et al further disclose the system comprising a recent change engine (32) for receiving the instruction from the set of processors (33) and transmitting the instruction to a service control point (SCP) (48) [Fig. 4].

Regarding claim 21, the limitations are shown above.

Regarding claim 22, Dunn et al further disclose the system comprising a recent change engine for receiving the instruction from the set of processors and transmitting the instruction to a switch [Fig. 7].

Regarding claim 23, Dunn et al further disclose the system, wherein

the switch includes a table and wherein the recent change engine is capable of modifying the table (i.e. pick list) [Fig. 10; col. 6, lines 51-62].

Regarding claim 24, Dunn et al further disclose the system, wherein line management information from the user set of processors are capable of receiving includes information regarding forwarding calls originally directed to one of the communications lines to a different communications line [Fig. 2A; col. 4, lines 55-63; Fig. 10; col. 3, line 66 to col. 4, line 11].

Regarding claims 25-28, the limitations are shown above.

Regarding claim 2, Dunn et al further disclose the method, wherein transmitting an instruction to a component of the communications network, comprises transmitting an instruction to a service control point (SCP) (48) [Figs. 4, 2A; . col. 4, lines 55-63].

Regarding claims 3-7, the limitations are shown above.

Regarding claim 8, Dunn et al further disclose the method, wherein receiving line management information comprises receiving information regarding forwarding calls originally directed to one of the communications lines to one or more processors providing voice mail services [col. 1, lines 46-59; col. 2, lines 21-38; col. 3, line 66 to col. 4, line 11].

Regarding claim 9, Dunn et al further disclose the method, wherein receiving line management information comprises receiving information regarding forwarding calls originally directed to one of the communications lines to one or more processors for playing an audible signal indicative of the communications line being unavailable [Figs. 2A, 9-10; col. 4, lines 55-63; col. 6, lines 51-67].

Regarding claims 10, 38-46, the limitations are shown above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose

telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Ramnandan Singh/
Primary Examiner
Art Unit 2614

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